

**MONDAY, MARCH 30, 1998**

**SEVENTY-NINTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative White.

Representative White led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 96

Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 96.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 186:** Rep(s). Bittle, Tindell, Ritchie and Armstrong as prime sponsor(s).

**House Joint Resolution No. 515:** Rep(s). Hood as prime sponsor(s).

**House Joint Resolution No. 632:** Rep(s). Hood as prime sponsor(s).

**House Joint Resolution No. 642:** Rep(s). Garrett as prime sponsor(s).

**House Bill No. 98:** Rep(s). Cross as first prime sponsor(s).

**House Bill No. 222:** Rep(s). Odom as prime sponsor(s).

**House Bill No. 1764:** Rep(s). Goins, J. DeBerry and U. Jones as prime sponsor(s).

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**House Bill No. 2199:** Rep(s). Pleasant as prime sponsor(s).

**House Bill No. 2214:** Rep(s). Walker(Blount) as prime sponsor(s).

**House Bill No. 2299:** Rep(s). Chumney as prime sponsor(s).

**House Bill No. 2429:** Rep(s). Godsey and Mumpower as prime sponsor(s).

**House Bill No. 2497:** Rep(s). Turner(Hamilton) as prime sponsor(s).

**House Bill No. 2617:** Rep(s). Hood, McDonald, Maddox and Boyer as prime sponsor(s).

**House Bill No. 2620:** Rep(s). Hood, Walker(Blount) and McMillan as prime sponsor(s).

**House Bill No. 2903:** Rep(s). Dunn, Sargent, Walker(Blount), Kerr, Hargett, Newton, Walker(Rhea), Haley, Goins, Beavers, Boyer, Bowers, L. DeBerry, J. DeBerry, U. Jones, Godsey, Mumpower, Ford and Patton as prime sponsor(s).

**House Bill No. 2909:** Rep(s). Pinion, Buck, Wood, Sharp, Dunn, Sargent, Burchett, Patton, Ford, Godsey, McMillan, Bone, Walker(Rhea), Odom, Walley, Beavers, Goins, Eckles, J. DeBerry, U. Jones, Armstrong, Brown, Tindell, Kerr, Hargett, Mumpower, Walker(Blount), Scroggs, Hassell and Boyer as prime sponsor(s).

**House Bill No. 3073:** Rep(s). Patton as prime sponsor(s).

**House Bill No. 3218:** Rep(s). McKee as prime sponsor(s).

**House Bill No. 2629:** Rep(s). McDonald as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Hargett was/were removed as sponsor(s) of **House Bill No. 3203**.

**ENROLLED BILLS  
March 27, 1998**

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 612.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED  
March 27, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 612

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**ENROLLED BILLS**

**March 27, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 574, 600, 601, 603, 604, 605, 606, 607, 608, 609, 610, 611, 613, 614, 615, 617, 618, 620, 622 and 623; also, House Resolution(s) No(s). 179 and 180.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 27, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 574, 600, 601, 603, 604, 605, 606, 607, 608, 609, 610, 611, 613, 614, 615, 617, 618, 620, 622 and 623; also, House Resolution(s) No(s). 179 and 180.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**March 27, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 612; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**March 27, 1998**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 612.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENROLLED BILLS**

**March 30, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2292, 2610, 2740, 2864, 2908, 3095 and 3248.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**March 30, 1998**

The Speaker signed the following: House Bill(s) No(s). 2292, 2610, 2740, 2864, 2908, 3095 and 3248.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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**MESSAGE FROM THE GOVERNOR**  
**March 30, 1998**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 390, 1740, 2454, 2469, 2613, 2850, 2943, 3017, 3025, 3372, 3382, 3383, 3384, 3385 and 3388, also, House Joint Resolution(s) No(s). 612; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE SENATE**  
**March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2446 and 2660; both substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2787. The Senate refused to recede from its action in adopting Amendment No. 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3053; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2193; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**  
**March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3068; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 579 and 626; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 574, 600, 601, 603, 604, 605, 606, 607, 608, 609, 610, 611, 613, 614, 615, 617, 618, 620, 622 and 623; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
March 30, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2292, 2610, 2740, 2864, 2908, 3095 and 3248; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
March 30, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2057, 2209, 2396, 2419, 2523, 2912, 3069, 3091 and 3097; also, Senate Joint Resolution(s) No(s). 519, 520, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 539 and 558 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 1, 1998:

**House Resolution No. 183** -- Memorials, Interns - Reese Eldon Stansberry, Jr. by \*Ford S.

**House Resolution No. 184** -- Memorials, Personal Achievement - Lauren Briggance Simpson, Girl Scout. by \*Langster, \*Naifeh, \*Pruitt, \*DeBerry L, \*Jones, S., \*West, \*Garrett, \*Jones U (Shelby), \*Armstrong, \*Hargrove.

**House Resolution No. 185** -- Memorials, Retirement - Tom Benson. by \*Robinson.

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**House Joint Resolution No. 643** -- Memorials, Personal Achievement - Drew Willis, Eagle Scout. by \*Hargett.

**House Joint Resolution No. 646** -- Memorials, Recognition and Thanks - Beech Cumberland Presbyterian Church, 200th anniversary. by \*McDonald.

**House Joint Resolution No. 647** -- Memorials, Sports - 1997-1998 Mt. Juliet Senior High School freshman girls' basketball team. by \*Beavers, \*Bone, \*West.

**House Joint Resolution No. 648** -- Memorials, Sports - 1997-1998 Mt. Juliet Senior High School freshman boys' basketball team. by \*Beavers, \*Bone, \*West.

**House Joint Resolution No. 649** -- Memorials, Personal Occasion - Marie Scott, 100th Birthday. by \*Turner (Shelby).

**House Joint Resolution No. 650** -- Memorials, Public Service - Ethel Walker Davis. by \*Langster, \*Jackson, \*Pruitt, \*Jones, S., \*West, \*Garrett, \*Jones U (Shelby), \*Armstrong.

**DELAYED BILLS REFERRED**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3411, was/were referred to the Delayed Bills Committee.

**\*House Bill No. 3411** -- Energy - Permits county owned electrical power distributors to participate in joint energy acquisition projects; expands qualifications of directors for such corporations Amends TCA Section 7-39-102; Section 7-39-201; Section 7-39-202; Section 7-39-301 and Section 7-39-312. by \*Kisber.

**REPORT OF DELAYED BILLS COMMITTEE**  
**March 30, 1998**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bill(s) to be introduced: House Bill(s) No(s). 3370, 3373, 3397 and 3411.

Jimmy Naifeh, Speaker  
Jere Hargrove  
Steve McDaniel

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 3370** -- County Boundaries - Provides that county property assessed in county for five years may not be assessed by another county; prohibits court from determining location of county line if property in question has been assessed by same county for over 20 years. Amends TCA Section 5-2-115. by \*Rhinehart.

**\*House Bill No. 3373** -- Sexual Offenses - Redefines "rape of a child"; requires treatment for activity of "sexual experimentation" for children under 12. Amends TCA Title 37 and Title 39, Chapter 13, Part 5. by \*DeBerry L.

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**\*House Bill No. 3397** -- Insurance, Health, Accident - Requires health insurance plans to cover physician prescribed massage therapy. Amends TCA Title 56. by \*DeBerry L.

**House Bill No. 3407** -- Johnson County - Subject to local approval, expands board of education from five to seven members; rearranges districts. Amends Chapter 183 of the Private Acts of 1949, as amended. by \*Mumpower.

**House Bill No. 3408** -- Mountain City - Subject to local approval, revises term of office for mayor and aldermen and appointment and terms of other officers. Amends Chapter 133 of the Private Acts of 1986, as amended. by \*Mumpower.

**House Bill No. 3409** -- Chester County - Subject to local approval, expands definition of "operator" under hotel motel tax to include the state. Amends Chapter 70 of the Private Acts of 1997. by \*Walley.

**House Bill No. 3410** -- Rutherford County - Subject to local approval, revises charter. Amends Chapter 55 of the Private Acts of 1951 as amended. by \*Hood, \*Eckles.

**\*House Bill No. 3411** -- Energy - Permits county owned electrical power distributors to participate in joint energy acquisition projects; expands qualifications of directors for such corporations. Amends TCA Section 7-39-102; Section 7-39-201; Section 7-39-202; Section 7-39-301 and Section 7-39-312. by \*Kisber.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 174** -- Animals - Creates pilot project in Davidson County to comprehensively investigate and track animal abuse complaints. by \*Harper.

**Senate Bill No. 2249** -- Taxes, Real Property - Clarifies time of certification of delinquent municipal property taxes as of May 1 of second calendar year after due date. Amends TCA Section 67-5-2005. by \*Rochelle.

**\*Senate Bill No. 2345** -- Banks and Financial Institutions - Authorizes out-of-state banks to acquire certain branch banks in Tennessee, without acquiring entire bank, if home state has reciprocal authorization for Tennessee banks. Amends TCA Title 45, Chapter 2, Part 14, Section 45-2-614 and Section 6 of Public Chapter No. 165, Acts of 1995. by \*Crowe.

**\*Senate Bill No. 2582** -- Victims Rights - Requires departments of correction and children's services to provide or contract to provide service notifying interested persons of certain information regarding convicted felons and juveniles adjudicated delinquent. Amends TCA Title 37, Chapter 5 and Title 41, Chapter 21. by \*Herron.

**Senate Bill No. 2793** -- Food and Food Products - Prohibits retail food establishments from raising food prices solely to correspond with delivery of government assistance funds. Amends TCA Title 53, Chapter 8, Part 2. by \*Harper.

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**\*Senate Bill No. 2817** -- Hospitals and Health Care Facilities - Requires persons who install or repair medical gas piping to be certified by board for licensing health care facilities. Amends TCA Title 68, Chapter 11, Part 2. by \*Crutchfield.

**Senate Bill No. 3171** -- Aircraft and Airports - Revises requirements for civil service plan if board of metropolitan airport authority adopts own civil service plan; empowers board to contract with secretary of state for administrative law judges or to other persons on a case-by-case basis. Amends TCA Section 42-4-110. by \*Person.

**Senate Bill No. 3288** -- Sunshine Law - Makes meetings of certain organizations subject to open meetings law; makes certain records subject to open records law. Amends TCA Section 8-44-102 and Section 10-7-503. by \*Gilbert.

**Senate Bill No. 3362** -- Tennessee Wildlife Resources Agency - Increases from one to up to five number of free sport fishing days Amends TCA Title 69 and Title 70. by \*Burks.

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3399** -- Trenton -- Local Bill Held on House Desk

**House Bill No. 3400** -- Trenton -- Local Bill Held on House Desk

**House Bill No. 3401** -- Williamson County -- Local Bill Held on House Desk

**House Bill No. 3402** -- Smith County -- Local Bill Held on House Desk

**House Bill No. 3403** -- Fentress County -- Local Bill Held on House Desk

**House Bill No. 3404** -- Roane County -- Local Bill Held on House Desk

**House Bill No. 3405** -- Pleasant Hill -- Local Bill Held on House Desk

**House Bill No. 3406** -- Camden -- Local Bill Held on House Desk

### **CONSENT CALENDAR**

**House Joint Resolution No. 642** -- Memorials, Death - Jim Kennedy. by \*Naifeh, \*DeBerry L, \*Hargrove, \*Rinks.

**Senate Joint Resolution No. 490** -- Memorials, Death - Jim Kennedy, former Chief of Staff and Deputy Governor for Governor Ned McWherter. by \*Henry, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Eisea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

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**House Bill No. 3131** -- Alcoholic Beverages - Redefines "premiere type tourist resort" to include Riverwatch Development Amends TCA Section 57-4-102(17). by \*Kent. (\*SB2437 by \*Crutchfield)

On motion, House Bill No. 3131 was made to conform with **Senate Bill No. 2437**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 3306** -- Taxes, Sales - Redefines "industrial machinery" for purposes of sales and use tax. Amends TCA 67-6-102. by \*Kisber, \*McDaniel, \*Bowers, \*Head, \*White, \*Winningham, \*Beavers, \*Davidson, \*Turner (Shelby), \*McKee, \*Ridgeway. (SB3304 by \*Atchley, \*Leatherwood, \*Cooper, \*Elsea, \*McNally, \*Crowe)

On motion, House Bill No. 3306 was made to conform with **Senate Bill No. 3304**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2262** -- Election Laws - Requires employers to excuse from employment full-time employees who are appointed voting machine technicians performing such duties on part-time basis. Amends TCA Title 2. by \*Buck, \*Pinion. (SB2281 by \*Rochelle)

**Senate Joint Resolution No. 397** -- Flags - Urges proper display of Tennessee state flag. by \*Rochelle, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**\*Senate Joint Resolution No. 367** -- Highway Signs - "Warren County Schools," McMinnville Bypass Exit S.R. 55. by \*Cooper.

**\*House Bill No. 2208** -- Fire Prevention and Investigation - Permits deputy fire inspectors appointed by authorized city officials to conduct electrical inspections for a fee upon request of property owners, electric suppliers, or municipal or county governments. Amends TCA 68-102-143. by \*Westmoreland, \*McDaniel, \*Cross. (SB2223 by \*Williams, \*Atchley)

**\*House Bill No. 3066** -- Aircraft and Airports - Revises requirements for civil service plan if board of metropolitan airport authority adopts own civil service plan; empowers board to contract with secretary of state for administrative law judges or to other persons on a case-by-case basis. Amends TCA Section 42-4-110. by \*DeBerry J. (SB3171 by \*Person)

**\*House Joint Resolution No. 515** -- Highway Signs - "Wilson Francis Memorial Bridge," I-840, Rutherford County. by \*Eckles, \*Sands, \*Boner.

**\*House Bill No. 2599** -- Motor Vehicles, Titling and Registration - Revises procedure for expenditure of revenues produced from sale of Friends of Great Smoky Mountains special license plates. Amends TCA Section 55-4-271. by \*Clabough (H), \*Huskey, \*Burchett. (SB2965 by \*Gilbert)

**\*Senate Joint Resolution No. 409** -- Highway Signs - Designates I-140 as "Interstate 140/Pellissippi Parkway." by \*Clabough, \*Koella, \*McNally.

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**House Bill No. 2612** -- Aged Persons - Includes Henderson County in pilot program to reimburse licensed residential homes for aged. Amends TCA Section 12-4-320. by \*McDaniel. (\*SB2216 by \*Springer)

**House Bill No. 2629** -- Purchasing - Authorizes counties under County Purchasing Law of 1957 to purchase items on open market after receiving bids if open market price is less than bid price and to use open bids rather than sealed bids if summary of all bids received is posted publicly and on Internet. Amends TCA Title 5; Section 5-14-108; Title 6; Title 7; Title 12; Section 49-2-203; Section 54-9-210; Section 54-7-113 and Section 54-9-209. by \*Stamps. (\*SB2372 by \*Graves)

**House Bill No. 2210** -- Administrative Procedure - Redefines "rule" to exclude statements concerning inmates of correctional or detention facility. Amends TCA Title 4, Chapter 5, Part 1. by \*Stamps, \*McDaniel. (SB2225 by \*Fowler, \*Atchley)

**House Bill No. 2112** -- Judicial Officers - Adds Shelby County to counties that may appoint judicial commissioners; restricts authority to issue arrest and search warrants to warrants requested by on-duty law enforcement officer; allows commissioners to issue orders of protection in domestic violence cases. Amends TCA Section 40-1-111. by \*Scroggs. (SB2752 by \*Person)

**House Bill No. 2357** -- Election Laws - Permits disabled or illiterate voter to vote with assistance of any person of voter's choice in presence of judge or election official of different political party. Amends TCA 2-7-116. by \*Arriola. (\*SB2430 by \*Crutchfield, \*Harper)

On motion, House Bill No. 2357 was made to conform with **Senate Bill No. 2430**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2356** -- Election Laws - Requires candidate for municipal office to file nominating petition with county election commission where municipality located; if city in more than one county, requires filing in county where city hall located. Amends TCA 2-5-104. by \*Arriola. (\*SB2431 by \*Crutchfield)

On motion, House Bill No. 2356 was made to conform with **Senate Bill No. 2431**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2824** -- Domestic Violence - Increases expiration period of ex parte orders of protection from ten to 15 days. Amends TCA Section 36-3-604 and Section 36-3-605. by \*Hood, \*Eckles, \*Sands, \*McMillan, \*Buck, \*Tidwell. (\*SB2163 by \*Womack)

On motion, House Bill No. 2824 was made to conform with **Senate Bill No. 2163**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2620** -- Teachers - Allows career level II teachers who have completed requirements for career level II as of 6/13/97, to move into career level III upon achieving required years of service. Amends TCA Title 49, Chapter 5, Part 50. by \*Davidson, \*Winningham, \*Curtiss, \*Windle, \*Caldwell, \*Boyer, \*McDaniel, \*Fraleigh, \*Rhinehart. (\*SB2250 by \*Rochelle, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack)

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On motion, House Bill No. 2620 was made to conform with **Senate Bill No. 2250**; the Senate Bill was substituted for the House Bill.

**Senate Joint Resolution No. 522** -- Naming and Designating - "National Crime Victims' Rights Week," April 19-25, 1998. by \*Burks, \*Cooper, \*Henry, \*Dixon.

**House Bill No. 3016** -- Tennessee Housing Development Agency - Permits use of agency assets fund to support bond and loan programs of Tennessee Industrial Finance Corporation. Amends TCA Title 4, Chapter 17, Part 4. by \*Hargrove. (\*SB2796 by \*Rochelle, \*Dixon)

On motion, House Bill No. 3016 was made to conform with **Senate Bill No. 2796**; the Senate Bill was substituted for the House Bill.

**\*House Joint Resolution No. 590** -- General Assembly, Confirmation of Appointment - Roosevelt Allen, Tennessee Forestry Commission. by \*Boyer, \*Armstrong.

**House Bill No. 3387** -- Dandridge - Subject to local approval, revises charter. Amends Chapter 419 of the Acts of 1907, as amended. by \*Roach. (SB3382 by \*Williams)

**House Bill No. 3390** -- Fairview - Subject to local approval, authorizes levy and collection of adequate facilities tax on new development. by \*Williams (Williamson), \*Sargent. (SB3387 by \*Jordan)

**House Bill No. 3393** -- Roane County - Subject to local approval, enacts "Roane County Uniform Nepotism Policy Act.". by \*Ferguson. (SB3398 by \*Davis L)

**House Bill No. 3396** -- Sullivan County - Subject to local approval, amends charter by substituting "voting precinct" for "civil district." Amends Chapter 349 of the Private Acts of 1947, as amended. by \*Mumpower, \*Godsey, \*Westmoreland. (SB3391 by \*Ramsey)

**House Bill No. 3398** -- Ashland City - Subject to local approval, revises charter. Amends Chapter 132 of the Private Acts of 1969; as amended. by \*Williams (Williamson). (SB3399 by \*Kurita)

**House Resolution No. 181** -- Memorials, Retirement - O.L. Walker. by \*Rinks.

**House Resolution No. 182** -- Memorials, Recognition and Thanks - Love United Gospel Choir. by \*Armstrong.

**House Joint Resolution No. 630** -- Memorials, Heroism - Military Order of the Purple Heart, Memphis Chapter 484. by \*Cooper B, \*Miller L, \*Haley, \*Scroggs, \*Hassell, \*Hargett, \*Kernell, \*Brooks, \*DeBerry L, \*Bowers.

**House Joint Resolution No. 632** -- Memorials, Sports - Dale Kelley, TSSAA Hall of Fame. by \*Maddox.

**House Joint Resolution No. 633** -- Memorials, Recognition and Thanks - Cindy Royalty, Tulip Grove Elementary School volunteer. by \*West.

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**House Joint Resolution No. 634** -- Memorials, Sports - 1997-1998 Dresden Middle School girls' basketball team, Tops In Tennessee Tournament champions. by \*Maddox.

**House Joint Resolution No. 635** -- Memorials, Retirement - George Lawson Elder. by \*Fitzhugh.

**House Joint Resolution No. 636** -- Memorials, Congratulations - Donelson High School, 50th Class Reunion. by \*West.

**House Joint Resolution No. 637** -- Memorials, Personal Achievement - Nathan D. Hudgens, Eagle Scout. by \*Davidson.

**House Joint Resolution No. 638** -- Memorials, Public Service - Robert "Bob" Ring, County Executive, Williamson County. by \*Sargent.

**House Joint Resolution No. 639** -- Memorials, Personal Occasion - Mr. and Mrs. Roy Bullard, 60th wedding anniversary. by \*Goins.

**House Joint Resolution No. 640** -- Memorials, Personal Occasion - Mr. and Mrs. Everett Pressnell, 50th wedding anniversary. by \*Goins.

**Senate Joint Resolution No. 538** -- Memorials, Professional Achievement - Michael Osborn, University of Memphis professor emeritus. by \*Cohen.

**Senate Joint Resolution No. 542** -- Memorials, Recognition and Thanks - Pastor Ed Jeffries, Trinity Assembly of God Church. by \*Crowe.

**Senate Joint Resolution No. 543** -- Memorials, Professional Achievement - Dennis T. Powell, 1998 TIME Magazine Quality Dealer Award. by \*Crowe.

**Senate Joint Resolution No. 555** -- Memorials, Sports - 1997-1998 Pearl-Cohn High School football team, TSSAA Class 4-A state champion. by \*Harper, \*Harper.

**Senate Joint Resolution No. 557** -- Memorials, Personal Achievement - Jennifer Shapourian, Tennessee's Fairest of the Fairs. by \*Burks.

Rep. L. DeBerry moved that all members voting aye on House Joint Resolution No. 642 and Senate Joint Resolution No. 490 be added as sponsors, which motion prevailed.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 2262:** by Rep. Buck

**House Bill No. 2208:** by Rep. Jones(Shelby)

**House Bill No. 3066:** by Rep. Kernell

**House Bill No. 2629:** by Rep. Jones(Shelby)

**House Bill No. 2210:** by Rep. Kernell

**Senate Joint Resolution No. 397:** by Rep. Buck

Under the rules, House Bill(s) No(s): 2262, 2208, 3066, 2629, 2210 and Senate Joint Resolution No. 397 was/were placed at the foot of the calendar for April 2, 1998.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Beavers, Godsey -- 2.

A motion to reconsider was tabled.

## REGULAR CALENDAR

**House Bill No. 3012** -- Motor Vehicles - Revises from one day to seven days time within which local law enforcement agency should forward written report of motor vehicle accident to department of safety; requires department to monitor timeliness of forwarding of such reports. Amends TCA Section 55-10-108. by \*Westmoreland. (\*SB2607 by \*Herron)

Rep. Westmoreland moved that House Bill No(s). 3012 be reset for the Regular Calendar on April 6, 1998, which motion prevailed.

**House Bill No. 3278** -- Railroads - Increases from six months to one year time when railroad company must install automatic warning or protective devices at certain crossings. Amends TCA Title 65, Chapter 11, Part 1. by \*Robinson, \*Buck. (\*SB2449 by \*Haun)

**MONDAY, MARCH 30, 1998 -- SEVENTY-NINTH LEGISLATIVE DAY**

Further consideration of House Bill No. 3278 previously considered March 16, 1998, and reset to today's Calendar.

Rep. Robinson requested that House Bill No. 3278 be moved to the heel of the Calendar.

**House Bill No. 2448** -- Zoning - Permits city board of zoning appeals to have three, five or nine members rather than three or five members Amends TCA Title 13, Chapter 7, Part 2. by \*Sharp, \*Turner (Hamilton), \*Brown, \*Stulce, \*Wood, \*McAfee. (\*SB2432 by \*Crutchfield, \*Fowler)

Further consideration of House Bill No. 2448 previously considered on March 23, 1998, and reset to today's Calendar.

On motion, House Bill No. 2448 was made to conform with **Senate Bill No. 2432**; the Senate Bill was substituted for the House Bill.

Rep. Sharp moved that Senate Bill No. 2432 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State & Local Government Committee Amendment No. 1.

Rep. Sharp moved that **Senate Bill No. 2432** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 3217** -- Alcoholic Beverages - Redefines "convention center" in relation to premises where certain alcoholic beverages can be consumed. Amends TCA Section 57-4-102(10)(A). by \*Jones, S., \*West, \*Jones, S., \*Langster, \*Arriola, \*Boner, \*Robinson, \*Odom, \*Halteman Harwell. (\*SB2795 by \*Crutchfield)

Further consideration of House Bill No. 3217 previously considered on March 9, 1998, and March 23, 1998, and reset to today's Calendar.

**MONDAY, MARCH 30, 1998 -- SEVENTY-NINTH LEGISLATIVE DAY**

Rep. S. Jones moved that House Bill No(s). 3217 be reset for the Regular Calendar on April 6, 1998, which motion prevailed.

**House Bill No. 1764** -- Sentencing - Enacts "Lottie's Law"; adds to list of aggravating circumstances, which may be considered in sentencing person for first degree murder, if age of victim was 70 years of age or older at time of murder. Amends TCA Title 39, Chapter 13, Part 2. by \*Windle. (\*SB1283 by \*Burks, \*Williams, \*Kurita, \*Crowe, \*Springer)

On motion, House Bill No. 1764 was made to conform with **Senate Bill No. 1283**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that **Senate Bill No. 1283** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

**House Bill No. 2199** -- Sports - Authorizes commissioner of commerce and insurance to withhold all or part of purse or other money payable to contestant, manager or second in professional boxing match for certain misconduct by such participants Amends TCA Title 68, Chapter 115, Part 2. by \*Windle. (\*SB2053 by \*Cohen)

On motion, House Bill No. 2199 was made to conform with **Senate Bill No. 2053**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that **Senate Bill No. 2053** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes .....	2

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Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Armstrong, Burchett -- 2.

A motion to reconsider was tabled.

**\*House Bill No. 2909 -- Taxes, Real Property - Increases property valuation eligible for property tax relief programs from first \$15,000 to first \$17,000.** Amends TCA Section 67-5-702 and Section 67-5-703. by \*Head, \*Hargrove, \*Rinks, \*DeBerry L., \*Naifeh, \*Hood, \*Fraley, \*Arriola, \*Williams (Williamson), \*Kisber, \*McDonald, \*Sands, \*Miller L., \*Bowers, \*Ridgeway, \*Fitzhugh, \*Maddox, \*Stulce, \*Robinson, \*Chumney, \*West, \*Cole (Dyer), \*Pruitt, \*White, \*Cooper B, \*Langster, \*Jones U (Shelby), \*Lewis, \*Cole (Carter), \*Kent, \*Whitson, \*Newton, \*Turner (Hamilton), \*Rhinehart, \*Davidson, \*Stamps, \*McDaniel, \*Pleasant, \*Haley, \*Hargett. (SB3129 by \*Rochelle, \*McNally)

Rep. Head moved that House Bill No. 2909 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2909 By deleting the language "seventeen thousand dollars (\$17,000)" wherever it appears in Section 1 or 2 and by substituting instead the language "eighteen thousand dollars (\$18,000)".

On motion, Amendment No. 1 was adopted.

Rep. Head moved that **House Bill No. 2909**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2617** -- Pensions and Retirement Benefits - Requests council on pensions and insurance to study feasibility of extending group insurance benefits to uninsured retired teachers. by \*Davidson, \*Winningham. (\*SB2378 by \*Womack, \*McNally)

Rep. Davidson moved that House Bill No. 2617 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Council on Pensions & Insurance Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2617 by deleting Sections 1 and 2 of the printed bill in their entirety and substituting in lieu thereof the following:

SECTION 1. The council on pensions and insurance is requested to conduct a study of the issues associated with the provision of insurance coverage for retired teachers and other employees of local government agencies and for retired state employees. The study shall review:

(1) The availability of coverage for retirees from school systems participating in the local education insurance plan.

(2) The availability of coverage for retirees from school systems maintaining insurance coverage through locally sponsored coverage;

(3) The availability of coverage for retirees participating in local retirement systems for school system employees.

(4) The cost implications of the various options available or to be made available to retired teachers and other school system employees.

(5) The coverage and eligibility provisions for retired state employees.

(6) The issues associated with and the cost implications of retirees who become eligible for Medicare.

SECTION 2. The council is requested to report its findings and recommendations to the house and senate education committees, the house and senate finance, ways and means committees and the house and senate state and local government committees by March 1, 1999.

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved that **House Bill No. 2617**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 2807** -- Workers' Compensation - Prohibits additional charges during term of policy resulting from endorsement to policy using recalculated modification factor. Amends TCA Title 50, Chapter 6, Part 4 and Title 56. by \*Kisber. (\*SB2248 by \*Cooper)

Rep. Kisber moved that House Bill No. 2807 be passed on third and final consideration.

Rep. West requested that Amendment No. 1 be moved to the heel of the Amendments.

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Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2807 By deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-411, is amended by adding the following language at the end of the existing section:

Such additional charge may be imposed on the anniversary rating date only if such date is also the inception date or renewal date of the policy. No policy endorsement shall be valid which seeks to impose such additional charges on a date other than the inception date or renewal date of the policy. The commissioner of commerce and insurance shall instruct the licensed rate service organization to communicate the provisions of this section to insurers licensed to do business in Tennessee.

On motion, Amendment No. 2 was adopted.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 2 as House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 2807 by adding the following as a new section of the printed bill as amended, and by redesignating the subsequent section:

Section \_\_\_\_\_. Notwithstanding any other provision of law to the contrary, the provisions of this act shall not apply to policies issued by self insurance groups.

On motion, Amendment No. 3 was adopted.

Rep. West moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kisber moved that **House Bill No. 2807**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart,

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Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 2903** -- Taxes, Real Property - Revises real property tax relief for low income elderly and disabled persons. Amends TCA 67-5-702 and 67-5-703. by \*Kisber. (\*SB3061 by \*Henry)

On motion, House Bill No. 2903 was made to conform with **Senate Bill No. 3061**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 3061 be passed on third and final consideration.

On motion, Rep. U. Jones withdrew State & Local Government Committee Amendment No. 1.

Rep. Kisber requested that Senate Bill No. 3061 be moved to the heel of the Calendar.

**\*House Bill No. 3241** -- Election Laws - Reduces campaign and lobbying restrictions placed on member of registry of election finance after leaving position. Amends TCA Section 2-10-203(j). by \*Kisber. (SB3348 by \*Herron)

Rep. Kisber moved that House Bill No(s). 3241 be reset for the Regular Calendar on April 1, 1998, which motion prevailed.

**Senate Joint Resolution No. 450** -- Naming and Designating - "Police Memorial Day," May 13, 1998; "Police Memorial Week," May 11-17, 1998. by \*Burks, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L., \*Dixon, \*Elsea, \*Ford J., \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J., \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Wormack.

Rep. Kent requested that Senate Joint Resolution No. 450 be moved down 1 place on the Calendar.

**House Bill No. 2862** -- Fees - Authorizes register in Jefferson County to impose \$2.00 data processing fee for recording of each instrument Amends TCA Section 8-21-1001. by \*Roach. (\*SB3079 by \*Williams)

On motion, House Bill No. 2862 was made to conform with **Senate Bill No. 3079**; the Senate Bill was substituted for the House Bill.

Rep. Roach moved that Senate Bill No. 3079 be passed on third and final consideration.

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Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 3079 By adding the following language at the end of the amendatory language of the first subsection of Section 1:

The county register shall not be entitled to demand and receive any fees for notices of liens for overdue child or spousal support or releases of the same entered into a computer system with a terminal in the county register's office by the department of human services pursuant to §36-5-901(b)(3).

On motion, Amendment No. 1 was adopted.

Rep. Roach requested that Senate Bill No. 3079 be moved down 1 place on the Calendar.

**Senate Joint Resolution No. 450 -- Naming and Designating - "Police Memorial Day,"** May 13, 1998; "Police Memorial Week," May 11-17, 1998. by \*Burks, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

Further consideration of Senate Joint Resolution No. 450 previously considered on today's Calendar.

Rep. Kent requested that Senate Joint Resolution No. 450 be moved to the heel of the Calendar.

**\*Senate Bill No. 3079 -- Fees -** Authorizes register in Jefferson County to impose \$2.00 data processing fee for recording of each instrument. Amends TCA Section 8-21-1001. by \*Williams. (HB2862 by \*Roach)

Further consideration of Senate Bill No. 3079 previously considered on today's Calendar, at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1.

Rep. Roach requested that Senate Bill No. 3079 be moved to the heel of the Calendar.

**House Bill No. 2954 -- County Officers -** Provides that members of county board of sanitation may be compensated in accordance with resolution adopted by county legislative body Amends TCA Section 5-19-104. by \*Roach. (\*SB3116 by \*Williams)

On motion, House Bill No. 2954 was made to conform with **Senate Bill No. 3116**; the Senate Bill was substituted for the House Bill.

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Rep. Roach moved that **Senate Bill No. 3116** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 3102** -- Animals - Enacts "Tennessee Spay/Neuter Law." Amends TCA Title 44, Chapter 17. by \*Burchett. (\*SB2540 by \*Davis L)

Rep. Burchett moved that House Bill No(s). 3102 be reset for the Regular Calendar on April 6, 1998, which motion prevailed.

**House Bill No. 3203** -- Criminal Offenses - Redefines "lewdness" to include indecent exposure. Amends TCA Section 29-3-101. by \*Dunn, \*Burchett, \*Bone, \*West, \*Hargett, \*Haley, \*Pleasant. (\*SB1610 by \*Jordan)

Further consideration of House Bill No. 3203 previously considered on March 23, 1998, and March 26, 1998, and reset to today's Calendar.

Rep. Dunn moved that House Bill No. 3203 be passed on third and final consideration.

Rep. Kerr moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Turner(Shelby) moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 3203 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. Tennessee Code Annotated, Section 29-3-101, is amended by adding the following new paragraph to subsection (a)(1):

As used in this definition "indecent exposure" does not include conduct occurring at a meeting or gathering of a state licensed family-oriented clothing optional club.

On motion, Amendment No. 2 was adopted.

Rep. Dunn moved that House Bill No(s). 3203 be reset for the Regular Calendar on April 1, 1998, which motion prevailed.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

**House Bill No. 3278** -- Railroads - Increases from six months to one year time when railroad company must install automatic warning or protective devices at certain crossings. Amends TCA Title 65, Chapter 11, Part 1. by \*Robinson, \*Buck. (\*SB2449 by \*Haun)

Further consideration of House Bill No. 3278 previously considered on today's Calendar.

Rep. Robinson moved that House Bill No(s). 3278 be reset for the Regular Calendar on April 1, 1998, which motion prevailed.

**\*Senate Bill No. 3061** -- Taxes, Real Property - Revises real property tax relief for low income elderly and disabled persons. Amends TCA 67-5-702 and 67-5-703. by \*Henry. (HB2903 by \*Kisber)

Further consideration of Senate Bill No. 3061 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and Amendment No. 1 was withdrawn.

Rep. Kisber moved that **Senate Bill No. 3061** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount),

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Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

**Senate Joint Resolution No. 450** -- Naming and Designating - "Police Memorial Day," May 13, 1998; "Police Memorial Week," May 11-17, 1998. by \*Burks, \*Atchley, \*Burks, \*Carter, \*Clabough, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis L, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

Further consideration of Senate Joint Resolution No. 450 previously considered on today's Calendar.

Rep. Kent moved that Senate Joint Resolution No(s) 450 be reset for the Regular Calendar on April 1, 1998, which motion prevailed.

**\*Senate Bill No. 3079** -- Fees - Authorizes register in Jefferson County to impose \$2.00 data processing fee for recording of each instrument Amends TCA Section 8-21-1001. by \*Williams. (HB2862 by \*Roach)

Further consideration of Senate Bill No. 3079, previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1.

Rep. Roach moved that Senate Bill No(s). 3079 be reset for the Regular Calendar on April 6, 1998, which motion prevailed.

## **MESSAGE CALENDAR**

### **HOUSE ACTION ON SENATE AMENDMENTS**

**House Bill No. 2679** -- Criminal Offenses - Increases from Class C to Class A misdemeanor punishment for offense of failing to stop upon approaching school bus; imposes mandatory \$250 fine for first such offense and \$250-\$2,500 fine for subsequent offenses. Amends TCA Section 55-8-151. by \*Langster, \*Halteman Harwell, \*Pruitt, \*Jones, S., \*Arriola, \*Ferguson, \*DeBerry L, \*Jones U (Shelby), \*Garrett, \*Armstrong, \*Odum, \*Cooper B, \*Caldwell, \*Brooks, \*Bone, \*West, \*Ridgeway, \*Cole (Carter), \*Pinion, \*Eckles, \*Rinks, \*Kent, \*McMillan, \*McDonald, \*Bowers, \*Walley, \*Lewis, \*Head, \*Fitzhugh, \*Miller L, \*DeBerry J, \*Fowlkes. (\*SB2616 by \*Haynes, \*Miller J)

Rep. Langster moved that House Bill No(s). 2679 be reset for the Message Calendar on April 6, 1998, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 2473** -- Consumer Protection - Prohibits telemarketers from blocking caller ID Amends TCA Title 47, Chapter 18, Part 15. by \*Robinson, \*Ridgeway, \*Boyer, \*Walker (Blount), \*Patton, \*Newton, \*Hargett, \*Brooks, \*Jones U (Shelby). (\*SB2500 by \*Harper, \*Kurita)

**Senate Amendment No. 2**

AMEND House Bill No. 2473 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-18-1526, is amended by adding the following language as a new subsection (c), and by designating subsequent subsections accordingly:

(c)(1) No telephonic sales calls shall be made by a telephone solicitor to a consumer from a telephone if the telephone number of the caller is unlisted or if the telephone solicitor is using telephone equipment which blocks the caller ID function on the telephone or telephone equipment of the number dialed so that the telephone number of the caller is not displayed on the telephone or telephone equipment which is technically capable of displaying the telephone number of the caller.

(2)(A) In addition to any other penalty provided by this section, it is an offense for a person owning or directing the use of telephones or telephone equipment in violation of subsection (c)(1) to use or intentionally employ or direct a telephone solicitor to use, or to contract for the use of, telephones or telephone equipment to make telephonic sales calls in violation of subdivision (1) of this act.

(B) A violation of this subdivision(2) is a Class A misdemeanor, punishable only by a fine not to exceed twenty-five hundred dollars (\$2,500.00) for each violation.

SECTION 2. This act shall take effect July 1, 1998, the public welfare requiring it.

Rep. Robinson moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2473**, which motion prevailed by the following vote:

Ayes..... 99  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee,

McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 3303** -- Education - Authorizes state agencies to remedy local school placed on probation and meet needs for capital expenditures. Amends TCA Titles 4, 9, 12 and 49. by \*Davidson, \*McDaniel. (SB3301 by \*Womack, \*Rochelle, \*Atchley, \*McNally, \*Williams)

#### Senate Amendment No. 1

AMEND House Bill No. 3303 by adding the following between the second and third sentences of the amendatory language in Section 4 of the printed bill:

Before the removal or appointment functions are exercised, the commissioner shall also appear before the select oversight committee on education, which shall convene at the commissioner's request for that purpose, and present the reasons for the proposed actions. The committee may either endorse or refuse to endorse the proposed actions.

#### Senate Amendment No. 4

AMEND House Bill No. 3303 by designating the amendatory language in Section 6 of the printed bill to be subsection (a), and by adding to the amendatory language in Section 6 a new subsection (b), as follows:

(b) Notwithstanding the provision of subsection (a), before the State Building Commission can take any such action, the commissioner shall give the appropriate legislative body or special school district board written notice that action may be taken at least ninety (90) days prior to any such action by the commission. If, before expiration of said period, the legislative body shall adopt and submit a plan for building improvements, demolition or new construction and the funding thereof that is acceptable to the commissioner, then the provisions of subsection (a) shall not apply. However, if the plan is not acceptable to the commissioner, no further notice need be given.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 1 and 4 to **House Bill No. 3303**, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Joint Resolution No. 500** -- Memorials, Government Officials - Directs department of agriculture and TWRA to create partnership to improve educational process relative to Tennessee laws governing hunting and fishing on privately owned lands. by \*Bittle.

#### Senate Amendment No. 1

AMEND House Joint Resolution No. 500 amend by changing the words "are hereby directed" in the first resolving clause to "are hereby urged"

Rep. Bittle moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 500**, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

**MOTION TO RECONSIDER**

Rep. McMillan moved to lift from the table the motion to reconsider action on Senate Bill No. 2271, which motion prevailed.

**\*Senate Bill No. 2271** -- County Government - Removes requirement that each employee be given copy of county personnel policy; replaces requirement with provision requiring employee access to copy of such policy. Amends TCA Section 5-23-107. by \*Kurita. (HB2273 by \*McMillan, \*Head)

Rep. McMillan moved to reconsider action in passing Senate Bill No. 2271, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 2. On motion, Amendment No. 2 was withdrawn.

Rep. McMillan moved that Senate Bill No. 2271 be passed on third and final consideration.

Rep. McMillan moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 2271 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-23-107(1), is amended by adding the following language after the semicolon (;) at the end of subdivision (1):

provided, however, that a local board of education may, by resolution or negotiated agreement pursuant to Title 49, Chapter 5, Part 6, dispense with the requirements of this subdivision (1) and instead adopt other appropriate measures to ensure that each employee has knowledge of and access to a copy of personnel policies of the school system and any subsequent amendments applicable to them. Nothing in this chapter shall be construed to enlarge, modify or repeal the rights of employees of local boards of education as set forth in Tennessee Code Annotated, Title 49.

On motion, Amendment No. 3 was adopted.

Rep. McMillan moved that **Senate Bill No. 2271**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	1
Present and not voting .....	2

**MONDAY, MARCH 30, 1998 -- SEVENTY-NINTH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Brooks -- 1.

Representatives present and not voting were: Givens, Towns -- 2.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 645 out of order, which motion prevailed.

**House Joint Resolution No. 645** -- General Assembly, Adjournment, Recess - Adjourns the House of Representatives from the close of business on Wednesday, April 1, 1998 until Monday, April 6, 1998. by \*Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

**ANNOUNCEMENTS**

**REPORT FILED**

The Clerk announced that the Report of the Special Joint Committee to study Earthquake preparedness has been submitted and is on file in the Clerk's office.

The Clerk also announced that the Minority Report of the Special Study Committee to study the patient advocacy act authorized pursuant to Senate Joint Resolution No. 243 has been submitted and is on file in the Clerk's Office.

**RULES SUSPENDED**

Rep. Hargrove moved to suspend **Rule 49** to allow all bills passed on Tuesday, March 31, 1998, Calendar & Rules Committee meeting be placed on the Calendar for Wednesday, April 1, 1998, which motion prevailed.

**ENGROSSED BILLS**

**March 30, 1998**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 645.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 99

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 99.

**RECESS MOTION**

On motion of Rep. Hargrove the House recessed until 9:00 a.m., Thursday, April 2, 1998.